



BellSouth Telecommunications, Inc.
Suite 2101
333 Commerce Street
Nashville, Tennessee 37201-3300

615 214-6301
Fax 615 214-7406

September 20, 1999

Guy M. Hicks
General Counsel

SEP 23 PM 4 03

EXECUTIVE SECRETARY

VIA HAND DELIVERY

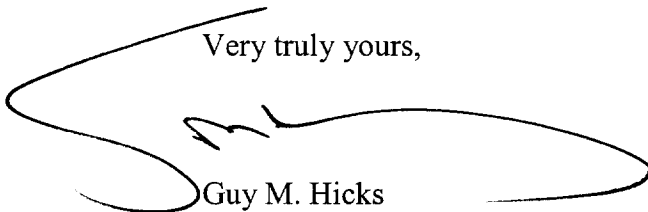
David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Petition by ICG TELECOM GROUP, INC. for Arbitration of an Interconnection Agreement with BELLSOUTH TELECOMMUNICATIONS, INC. pursuant to Section 252(b) of the Telecommunications Act of 1996*
Docket No. 99-00377

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Objections of First Set of Interrogatories and Requests for Production of ICG Telecom Group, Inc. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure

FILE

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

*In re: Petition of ICG Telecom Group, Inc. for Arbitration of an
Interconnection Agreement with BellSouth Telecommunications, Inc.
Pursuant to Section 252(b) of the Telecommunications Act of 1996*

Docket No. 99-00377

**BELLSOUTH TELECOMMUNICATIONS, INC.'S OBJECTIONS TO
FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF ICG TELECOM GROUP, INC.**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits the following objections to the first set of discovery requests of ICG Telecom Group, Inc.

GENERAL OBJECTIONS

1. BellSouth objects to each Request to the extent that it seeks information protected from discovery by the attorney-client privilege or the work product doctrine.
2. BellSouth objects to each Request to the extent that it seeks information that is proprietary or confidential in nature. BellSouth will produce responsive proprietary information subject to the entry of an acceptable protective agreement.

SPECIFIC OBJECTIONS

BellSouth hereby responds and objects to the specific requests as follows:

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 9
Page 1 of 1

REQUEST: Please provide a description of BellSouth's success in marketing its services to ISPs in Tennessee. More specifically, please populate the following table with the required information:

(As of year end)	1995	1996	1997	1998
Number of ISPs served by BellSouth:				
Number of ISPs served using business lines:				
Number of ISPs served using PBX trunks:				
Number of ISPs served using intrastate private line services:				
Number of ISPs served using intrastate special access services:				
Number of ISPs served using interstate private line services:				
Number of ISPs served using interstate special access services:				
Number of ISPs served by other means (explain):				

OBJECTION: BellSouth objects to this Interrogatory on the grounds that it seeks information that is not relevant to this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, and in an effort to be responsive, BellSouth will produce information responsive to the question of the number of ISPs served by BellSouth in each of the requisite years.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 20
Page 1 of 1

- REQUEST: With respect to the provision of DS-3, OC-3, OC-12, and OC-48 entrance facilities, please provide the following information:
- a. Will BellSouth provide ICG with each of the foregoing types of entrance facilities as unbundled network elements? If not, please identify the type of facility and explain why BellSouth will not provide that entrance facility as an unbundled network element.
 - b. Has any telecommunications carrier requested BellSouth to provide these types of entrance facilities as unbundled network elements? If so, identify each carrier, the type of facility requested, and state BellSouth's response.
 - c. Have cost-based rates been established for these types of entrance facilities as unbundled network elements? If so, please identify and describe those rates.
 - d. If cost-based rates have not been established for these types of entrance facilities as unbundled network elements, please explain why not.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 21
Page 1 of 1

- REQUEST: Please provide the following information concerning OC-3, OC-12 and OC-48 transport:
- a. Will BellSouth provide OC-3, OC-12 and OC-48 interoffice transport as unbundled network elements? If not, please identify the type of transport and explain why BellSouth will not provide that type of transport as an unbundled network element.
 - b. Has any telecommunications carrier requested BellSouth to provide these types of transport as unbundled network elements? If so, identify each carrier, the type of transport requested, and state BellSouth's response.
 - c. Have cost-based rates been established for these types of transport as unbundled network elements? If so, please identify and describe those rates.
 - d. If cost-based rates have not been established for these types of transport as unbundled network elements, please explain why not.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

- REQUEST: Please provide the following information concerning channelization and/or multiplexing required to convert: (i) voice-grade unbundled loops (DS-0) to DS-1 level for connection with the ICG and/or other telecommunications carrier transport and (ii) DS-1 unbundled loops to DS-3 level for connection with the ICG and/or other telecommunications transport:
- a. Will BellSouth provide ICG with channelization and/or multiplexing required to convert: (i) voice-grade unbundled loops (DS-0) to DS-1 level for connection with the ICG and/or other telecommunications carrier transport and (ii) DS-1 unbundled loops to DS-3 level for connection with the ICG and/or other telecommunications transport as unbundled network elements? If not, please explain why not.
 - b. Has any telecommunications carrier requested BellSouth to provide these types of channelization and/or multiplexing as unbundled network elements? If so, identify each carrier, the type of channelization and/or multiplexing requested, and state BellSouth's response.
 - c. Have cost-based rates been established for these types of channelization and/or multiplexing as unbundled network elements? If so, please identify and describe those rates.
 - d. If cost-based rates have not been established for these types of channelization and/or multiplexing as unbundled network elements, please explain why not.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 24
Page 1 of 1

REQUEST: Is it BellSouth's position that ICG must collocate in order to combine two or more UNEs? If yes, explain the basis for BellSouth's position.

- a. Would BellSouth, under any circumstance, agree to combine UNEs for ICG? If yes, please describe these circumstances and state what charges, if any, BellSouth would impose for combining UNEs.
- b. Has any State public utility commission required BellSouth to combine UNEs?
- c. Has BellSouth combined or agreed to combine UNEs on behalf of any telecommunications carrier in Tennessee? If yes, please identify (i) the carriers; (ii) the combinations provided or to be provided; and (iii) the terms and conditions under which such combinations were or will be provided.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding, nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 34
Page 1 of 1

REQUEST: Have the reciprocal compensation rates for the transport and termination of local traffic contained in interconnection agreements reached by BellSouth in 1999 tended to be lower or higher than such rates contained in interconnection agreements reached by BellSouth in 1996-97? If such rates have tended to be lower or higher, please explain in detail the reasons for such change.

OBJECTION: BellSouth requests to this interrogatory on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, BellSouth states that rates and rate structure in 1996 for reciprocal compensation varied, depending on the outcome of the negotiations between the Parties. Interconnection agreements containing these rates are a matter of public record and are on file with the various state commissions.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 38
Page 1 of 2

- REQUEST: Describe the extent to which, and the process by which, BellSouth terminates either local or toll traffic for independent, incumbent local exchange carriers.
- a. Are the rates, terms and conditions under which BellSouth terminates local or toll traffic for independent, incumbent local exchange carriers governed by a contract between BellSouth and any individual or group of independent, incumbent local exchange carriers?
 - b. Are the rates, terms and conditions under which BellSouth terminates local or toll traffic for independent, incumbent local exchange carriers governed by a publicly filed tariff? If so, please identify the tariff that governs this traffic.
 - c. For the past 12 months, please provide the total number of minutes that BellSouth has terminated for independent, incumbent local exchange carriers. If this data is not available for the past 12 months, please provide as much of this data as is available and identify the time period for which it is relevant.
 - d. Please provide the amount of charges assessed by BellSouth to independent, incumbent local exchange carriers for BellSouth's termination of either toll or local traffic over the time period for which the terminated minutes provided in question above are provided.
 - e. If BellSouth was required to pay any charges to terminate the traffic provided in response to question above, please provide the extent of those charges and describe the rates, terms and conditions by which BellSouth is required to pay such charges.

OBJECTION: (a-b) BellSouth objects to this Request on the grounds that the agreements between BellSouth and Incumbent Local Exchange Companies (Independent Companies) were in effect prior to 1996 and basically pertain to IntraLATA Toll traffic between separately owned, non-competitive exchange areas. Since the Federal Telecommunications Act of 1996, agreements between BellSouth and CLECs have been established to regulate local traffic between competitive companies within the same exchange areas. The comparison of these two types of agreements is irrelevant and inappropriate.

REQUEST: With respect to the contractual or tariffed arrangements between BellSouth and its retail and access customers, do any such arrangements for service include a commitment by BellSouth to provide rebates, credits, prorated bills, or other forms of compensation in the event the retail or access customer experiences a service outage? If the answer is yes, please provide the following information for each such arrangement:

- a. The individual service or product for which BellSouth agrees to provide rebates, credits, prorated bills, or other compensation in the event of a service outage;
- b. The criteria governing the point at which the BellSouth retail or access customer would be entitled to the prescribed credit, proration, or other compensation for each such service or product;
- c. The formula or methodology for quantifying the amount of credit, proration, or other compensation to which the BellSouth retail or access customer would be entitled that is applicable to each such service or product;
- d. The name of the tariff (including the page number and paragraph number) that delineates the right of the BellSouth retail or access customer to a credit, proration, or other compensation and sets forth the methodology for quantifying and applying same;
- e. The dollar amount of credits, prorations, rebates, or other forms of compensation that BellSouth has provided to its retail and access customers for each such service or product (1) during calendar year 1998 and (2) during 1999 to date.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that it is overly broad and burdensome and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, and in an effort to be responsive, BellSouth offers the following: pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, BellSouth has entered into numerous interconnection and CMRS agreements with CLECs operating in Tennessee. All such agreements are filed with the Tennessee Regulatory Authority as a public document. ICG may wish to review such agreements to obtain the date on which such agreements were executed and the nature of the agreements.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 65
Page 1 of 1

REQUEST: With respect to the tariffed or contractual arrangements between BellSouth and its retail and access customers, in the event a BellSouth retail or access customer experiences an outage, does BellSouth ever provide a replacement service or product at a discount from the standard or discounted contractual or tariffed rate? If the answer is yes, please provide:

- a. Each service or product that is the subject of a commitment or business practice of discounted replacement services;
- b. The criteria for determining the circumstances under which replacement services would be provided;
- c. The specific replacement services that would be provided for each service or product in the event of a "qualifying" outage;
- d. The discount that would be provided with each such replacement service;
- e. The tariff (including page number and paragraph number) that sets forth the customer's right to replacement service, the circumstances under which replacement services will be provided, and the amount of the discount for the replacement service for each service or product listed in response to above; and
- f. The dollar value of discounted replacement services provided in lieu of the interrupted service during calendar years 1998 and 1999 to date.

OBJECTION: BellSouth objects to this interrogatory on the grounds that it is overly broad and burdensome and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving this objection, and in an effort to be responsive, BellSouth offers the following: pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, BellSouth has entered into numerous interconnection and CMRS agreements with CLECs operating in Tennessee. All such agreements are filed with the Tennessee Regulatory Authority as a public document. ICG may wish to review such agreements to obtain the date on which such agreements were executed and the nature of the agreements.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 67
Page 1 of 1

- REQUEST: Describe in detail the equipment and services provided to BellSouth Telecommunications, Inc. by BellSouth.net, Inc. that are referred to in BellSouth's April 21, 1999 response to the Collocation Workshop Data Request in Tennessee Regulatory Authority Docket No. 10429-U, including but not limited to:
- a. the nature of the equipment provided by BellSouth.net, Inc. and a description of how it is used by BellSouth Telecommunications, Inc.;
 - b. the nature of the services provided by BellSouth.net, Inc. and a description of how those services are used by BellSouth Telecommunications, Inc. in connection with the provision of BellSouth.net service or otherwise;
 - c. the terms and conditions pursuant to which such equipment and services are provided by BellSouth.net, Inc. to BellSouth Telecommunications, Inc.;
 - d. the basis or methodology used to determine the prices for such equipment and services; and
 - e. identification and description of all contracts, agreements, memoranda of understanding, or other arrangements pursuant to which such equipment and services are provided.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 68
Page 1 of 1

- REQUEST: Describe in detail any equipment or services provided to BellSouth.net, Inc. by BellSouth Telecommunications, Inc., including but not limited to:
- a. the nature of any equipment provided by BellSouth Telecommunications, Inc. and a description of how it is used by BellSouth.net, Inc.;
 - b. the nature of any services provided by BellSouth Telecommunications, Inc. and a description of how those services are used by BellSouth.net, Inc.;
 - c. whether or not any or all of such equipment or services are provided pursuant to tariffs, including identification of the applicable tariff, page, and section;
 - d. to the extent not provided pursuant to tariff, the terms and conditions pursuant to which such equipment and services are provided by BellSouth Telecommunications, Inc. to BellSouth.net, Inc.;
 - e. to the extent not provided pursuant to tariff, the basis or methodology used to determine the prices for such equipment and services; and
 - f. identification and description of all contracts, agreements, memoranda of understanding, or other arrangements pursuant to which such equipment and services are provided.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 69
Page 1 of 1

- REQUEST: Describe in detail any equipment or services provided to BellSouth Telecommunications, Inc. by any affiliated entity other than BellSouth.net, Inc. that are used by BellSouth Telecommunications, Inc. in connection with the provision of BellSouth.net service, including but not limited to:
- a. the identity of the affiliated entity providing such equipment or service;
 - b. the nature of any equipment provided by such affiliated entity and a description of how it is used by BellSouth Telecommunications, Inc.;
 - c. the nature of the services provided by such affiliated entity and a description of how those services are used by BellSouth Telecommunications, Inc. in connection with the provision of BellSouth.net service or otherwise;
 - d. the terms and conditions pursuant to which such equipment and services are provided by such affiliated entity to BellSouth Telecommunications, Inc.;
 - e. the basis or methodology used to determine the prices for such equipment and services; and
 - f. identification and description of all contracts, agreements, memoranda of understanding, or other arrangements pursuant to which such equipment and services are provided.

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 70
Page 1 of 1

- REQUEST: Describe in detail how BellSouth Telecommunications, Inc. accounts for the investment, revenues, and expenses related to BellSouth.net services, including but not limited to:
- a. identification and description of all equipment used in connection with the provision of BellSouth.net service and how the investment in and expenses associated with such equipment is accounted for by BellSouth for regulatory accounting purposes;
 - b. identification and description of all regulated telecommunications services used in connection with the provision of BellSouth.net service and how the cost of such services is accounted for by BellSouth for regulatory accounting purposes;
 - c. identification and description of all services of any kind or nature, other than regulated telecommunications services, used in connection with the provision of BellSouth.net service and how the cost of such services is accounted for by BellSouth for regulatory accounting purposes;
 - d. identification and description of any and all internal transfer payments between BellSouth's regulated operations and the BellSouth.net service and the basis or methodology for determining the dollar amount of such transfer payments; and
 - e. identification and description of any and all investments, costs, and revenues imputed to the BellSouth.net service for regulatory accounting purposes and the basis or methodology for determining the dollar amounts so imputed.
- OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 71
Page 1 of 1

REQUEST: What is BellSouth's approximate share of the market for Internet access services in Tennessee?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 72
Page 1 of 1

REQUEST: What percentage of the subscribers to dial-up BellSouth.net service receive local telephone service at the primary location from which they use the BellSouth.net service from carriers other than BellSouth?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 74
Page 1 of 1

REQUEST: Does BellSouth accept orders for dial-up BellSouth.net service from residential consumers who obtain local telephone service from carriers other than BellSouth?
a. If so, does BellSouth require such consumers to obtain a local telephone line from BellSouth in order to receive the BellSouth.net service?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 75
Page 1 of 1

REQUEST: Does BellSouth accept orders for dial-up BellSouth.net service from business customers who obtain local telephone service from carriers other than BellSouth?
a. If so, does BellSouth require such customers to obtain a local telephone line from BellSouth in order to receive the BellSouth.net service?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 76
Page 1 of 1

REQUEST: When a BellSouth.net subscriber in Savannah accesses the Tennessee Regulatory Authority web site, what carrier or other entity transports the communication between the Atlanta and Savannah LATAs?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 77
Page 1 of 1

REQUEST: When a BellSouth.net subscriber in Birmingham, Alabama accesses the Tennessee Regulatory Authority web site, what carrier or other entity transports the communication between the Atlanta and Birmingham LATAs?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 78
Page 1 of 1

REQUEST: Can a BellSouth.net subscriber select the carrier or other entity that transports that subscriber's Internet communications across LATA boundaries? If so, how?

OBJECTION: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Interrogatories
September 15, 1999
Item No. 79
Page 1 of 1

- REQUEST: Where is the computer that hosts the BellSouth interconnection web site physically located?
- a. If there is more than one such computer, state the location of each.
 - b. If there is not a computer in each LATA hosting the BellSouth interconnection web site, when a BellSouth.net subscriber located in a LATA in which there is no such hosting computer accesses the BellSouth interconnection web site, what carrier or other entity transports that subscriber's communications between the LATA in which the subscriber is located and the LATA in which the hosting computer is located?
 - c. If there are computers in more than one LATA that host the BellSouth interconnection web site, describe the process by which information posted to the web site resident on one such computer is made available on the web site resident on another such computer. If there is any interLATA telecommunications transmission involved in this process, identify the transporting carrier or other entity.
- RESPONSE: BellSouth objects to this Interrogatory on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 4
Page 1 of 1

REQUEST: Please provide copies of the most recent cost studies prepared by or for BellSouth which show the recurring and non-recurring costs of each of the following types of entrance facility:

- a. DS-3;
- b. OC-3;
- c. OC-12; and
- d. OC-48.

Please separately identify non-recurring costs, recurring costs, fixed costs and distance-related costs. Please provide the complete working copy of each cost study, including a complete working copy of all computerized models involved in preparing the cost estimate with data intact; a complete set of work papers with all special studies, data sources, data inputs and assumptions; and a complete set of cost study documentation.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, BellSouth states that it has not filed the requested cost studies for Tennessee.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 8
Page 1 of 1

REQUEST: Please provide copies of all contracts with BellSouth retail customers that include pricing not reflected in BellSouth tariffs.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to the issues in this arbitration nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 11
Page 1 of 1

REQUEST: Please provide copies of each of the contracts, if any, that govern the rates, terms, and conditions under which BellSouth terminates local or toll traffic for independent, incumbent local exchange carriers.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to this arbitration nor is it reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request on the grounds that the agreements between BellSouth and Incumbent Local Exchange Companies (Independent Companies) were in effect prior to 1996 and basically pertain to IntraLATA Toll traffic between separately owned, non-competitive exchange areas. Since the Federal Telecommunications Act of 1996, agreements between BellSouth and CLECs have been established to regulate local traffic between competitive companies within the same exchange areas.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 12
Page 1 of 1

REQUEST: Please provide a copy of each tariff, if any, that governs the rates, terms, and conditions under which BellSouth terminates local or toll traffic for independent, incumbent local exchange carriers.

OBJECTION: BellSouth objects to this Request for Production on the grounds that it seeks the production of information that is publicly available. BellSouth's tariffs are available on its website at www.bellsouth.com.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 13
Page 1 of 1

REQUEST: Please provide copies of each of the contracts, if any, that govern the rates, terms, and conditions under which independent, incumbent local exchange carriers terminate local or toll traffic for BellSouth.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to this arbitration nor is it reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request on the grounds that the agreements between BellSouth and Incumbent Local Exchange Companies (Independent Companies) were in effect prior to 1996 and basically pertain to IntraLATA Toll traffic between separately owned, non-competitive exchange areas. Since the Federal Telecommunications Act of 1996, agreements between BellSouth and CLECs have been established to regulate local traffic between competitive companies within the same exchange areas.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 14
Page 1 of 1

REQUEST: Please provide a copy of each tariff, if any, that governs the rates, terms, and conditions under which independent, incumbent local exchange carriers terminate local or toll traffic for BellSouth.

OBJECTION: BellSouth objects to this Request for Production on the grounds that it seeks the production of information that is publicly available. BellSouth's tariffs are available on its website at www.bellsouth.com.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 16
Page 1 of 1

REQUEST: Provide copies of all contracts or agreements between BellSouth and any IXC, CLEC, CMRS, or retail customers that contain self-effectuating enforcement mechanisms, including but not limited to liquidated damages provisions and provisions for waiver, reduction or adjustment of recurring or nonrecurring charges.

RESPONSE: BellSouth objects to this Request for Production on the grounds that it is overly broad and burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request to the extent it assumes BellSouth includes self-effectuating enforcement mechanisms in its agreements. BellSouth contends that liquidated damages provisions and other self-effectuating penalties are not appropriate subject matter for this two party arbitration. Subject to and without waiving this objection, BellSouth offers the following: pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, BellSouth has entered into numerous interconnection and CMRS agreements with CLECs operating in Tennessee. All such agreements are filed with the Tennessee Regulatory Authority as a public document. ICG may wish to review such agreements to obtain the date on which such agreements were Executed and the nature of the agreements.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 18
Page 1 of 1

REQUEST: Please provide copies of all documents evidencing any contract, agreement, understanding or other arrangement between BellSouth Telecommunications, Inc. and BellSouth.net, Inc. relating to:

- a. the provision of equipment or services by either party to the other;
- b. the payment of money by either party to the other; or
- c. an accounting transfer of any type by either party to the other.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 19
Page 1 of 1

REQUEST: Please provide copies of all documents evidencing any contract, agreement, understanding or other arrangement between BellSouth Telecommunications, Inc. and any affiliated entity other than BellSouth.net, Inc. relating to the BellSouth.net service.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 20
Page 1 of 1

REQUEST: Please provide copies of all documents evidencing any contract, agreement, understanding or other arrangement between BellSouth Telecommunications, Inc. and/or BellSouth.net, Inc., on the one hand, and any ISP or provider of Internet backbone services, on the other, related to the offering or provision by BellSouth Telecommunications, Inc., BellSouth.net, Inc., or an ISP of Internet services or Internet access services.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 21
Page 1 of 1

REQUEST: Please provide copies of all forms of the subscriber agreement for BellSouth.net services.

OBJECTION: BellSouth objects to this Request for Production on the grounds that the information requested is not relevant to any issue in this proceeding nor is it reasonably calculated to lead to the discovery of admissible evidence.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Docket No. 99-00377
ICG's 1st Request for Production
September 15, 1999
Item No. 22
Page 1 of 1

REQUEST: Please provide copies of all documents evidencing any tariffs, contracts, agreements, memoranda of understanding, or other arrangements pursuant to which BellSouth has committed to construct, acquire, or provision specific telecommunications transport or switching facilities or capacity, or a specific quantity of telecommunications transport or switching capacity, based upon a forecast by any LEC, IXC, ISP, or retail customer of the amount or quantity of such telecommunications transport or switching facilities or capacity required to transport or switch a future volume of telecommunications traffic.

OBJECTION: BellSouth objects to this Request for Production to the extent that it seeks documents that BellSouth deems are proprietary. Subject to this objection and without waiving this objection, BellSouth will produce documents responsive to this request upon the execution of a mutually acceptable protective agreement.

CERTIFICATE OF SERVICE

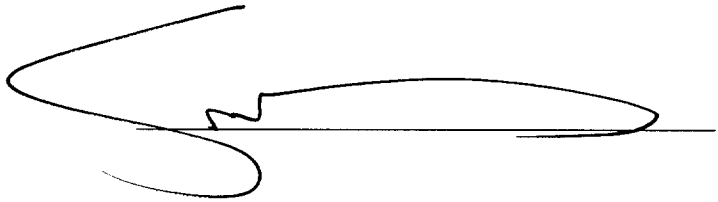
I hereby certify that on September 20, 1999, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Richard Collier, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0500

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Ave., #1600
P. O. Box 198062
Nashville, TN 37219-8062

A handwritten signature in black ink, appearing to be 'R. Collier', written over a horizontal line.